

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(1 of 5)

JESSE A. BREWER,
Plaintiff

V

21-cv
CASE NUMBER

Dauphin County,
Dauphin County Prison,
Jeffrey T. Hastel, Commissioner,
Gregory Briggs, Warden
Defendants

FILED
SCRANTON

JUL 23 2021

PER

DEPUTY CLERK

COMPLAINT WITH JURY DEMAND

This is a civil rights action, filed by Jesse A. Brewer, a federal Prisoner, for damages and injunctive relief under Title 42 U.S.C. § 1983, alleging Cruel and Unusual punishment and also deliberate indifference in violation of the Eighth (8th) Amendment of the United States Constitution.

JURISDICTION

This Court has jurisdiction over plaintiff's claims of violating his federally guarded constitutional rights under Title 42 U.S.C. §§ 1331(a) and 1334.

PARTIES

1. Plaintiff, Jesse A. Brewer, is incarcerated at U.S.P. Pollock, P.O. Box 2000, Pollock, Louisiana 71467, at this present time and date
2. Defendant Dauphin County is an entity and is being Sued in its official capacity
3. Defendant Dauphin County Prison is an entity and is being Sued in its official capacity - whose address is: 501 Wall Road, Harrisburg, Pennsylvania 17111
4. Defendant Jeffrey T. Haste, is the Commissioner of Dauphin County Prison and is being Sued in his individual and official capacity
5. Defendant Gregory Briggs is the Warden of Dauphin County Prison and is being Sued in his individual and official capacity
6. Defendants in Paragraph 4 & 5, are to be located at 501 Wall Road, Harrisburg Pennsylvania 17111
7. All defendants were acting under the color of State law and at all times relevant

STATEMENT OF FACTS

8. On December 2, 2020, I was incepted into Dauphin County Prison (by way of U.S. Marshall's Service)
9. I was placed on a "quarantine unit"; P-2
10. Within eight (8) days I was moved three (3) times, from P-2 to A-Block and finally to Unit Q-2, where I was actually tested and diagnosed positive for COVID-19, on December 10, 2020
11. Dauphin County Prison and its officials are/were not in compliance with the known CDC guidelines at that time
12. Most staff walk around the prison with their face masks lowered or will lower them when speaking to you. Some do not believe in wearing them at all while working.
13. Officials compound more than ten (10) people to congregate in settings such as meal times, sleep quarters like the gym, hallways and dayrooms, where the entire prison has very poor and inadequate ventilation
14. Since contracting COVID-19, my sense of taste and smell is uniquely distorted. My ears ring constantly and sometimes my nerves tingle and go numb

15. My breathing is shorter I sleep less and am more agitated, get paranoid easily and sometimes hallucinate
16. I cannot identify possibly spoiled foods such as milk and I sometimes suspect my fellow prisoners and staff to foul smells
17. I believe I may possibly have what is called Tenitus and/or Anaphylaxis
18. I am also emotionally and psychologically impaired because I know that being in prison I am five (5) times more likely to be infected and twice as likely to die from this virus, compared with the general population
- 19.

EXHAUSTION OF ADMINISTRATIVE REMEDIES

19. Plaintiff has exhausted his administrative remedies with respect to all claims and all defendants

RELIEF REQUESTED

20. WHEREFORE Plaintiff requests that the Court grant the following relief:

A) Issue injunction ordering defendants to follow current C.D.C. guidelines

B) Award compensatory damages jointly and severally against Dauphin County, Dauphin County Prison, Jeffrey J. Hastie Commissioner and Gregory Briggs, Warden, for knowingly violating plaintiff's right to be safe in the care, custody and control of this Prison and its officials, including being deliberately indifferent to his physical, emotional and psychological injuries which results from defendants callous actions

C) Award Punitive damages:

1. Against ALL defendants to be determined at trial

2. All defendants are being sued in their individual and official capacities

3. GRANT such other relief as it may appear that plaintiff is entitled to

DATED: July 19, 2021

CC: Personal File

Respectfully
Submitted
Jesse A. Brewer
Jesse A. Brewer
#53146-054

DECLARATION

I, Jesse Brewer, being duly sworn, do declare under penalty of perjury that the enclosed and foregoing is true and correct, to the best of my knowledge.

EXECUTED ON: July 19, 2021

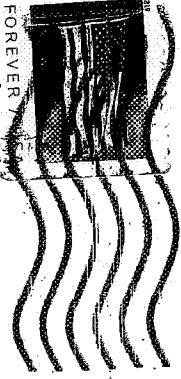
CC: Personal File

Respectfully
Submitted,
Jesse A. Brewer
Jesse Brewer
S3146-054
U.S.P. Pollock
P.O. Box 2009
- Pollock, CA 9467

Jesse A. Brewer #53146-054
United States Penitentiary Pollock
P.O. Box 2099
Pollock, Louisiana 71467

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Office of the Clerk
IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
235 North Washington Avenue
P.O. Box 1148

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Scranton Pennsylvania 18501-1148